

ATTORNEYS

- Samuel F. Baxter
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VISTO V. SEVEN NETWORKS

McKool Smith represents Visto, the company that invented synchronized mobile push-email, which is now a common feature on Blackberries and other smartphones. Visto has chosen McKool Smith to prosecute patent infringement cases against Research-In-Motion, Microsoft, GoodLink, and Seven Networks on behalf of Visto.

The first case to go to trial was against Seven Networks in April 2006. After a jury trial in the Eastern District of Texas, McKool Smith won a verdict of willful infringement and validity. The jury awarded the full amount of damages Visto requested, which amounted to nearly a 20% royalty on sales. The court also entered judgment on the verdict and also entered a permanent injunction preventing Seven from continuing to sell its infringing product. This trial was an important milestone that established the validity and value of Visto's patents in this emerging field. Following entry of the judgment and injunction, Seven entered into a settlement with Visto.